

Summary of Proposed Ordinance Relating to Zoning, Site Alteration and Critical Areas

This summary applies to the proposed Critical Areas Ordinance dated December 10, 2002, and fulfills the state Growth Management Act and King County Code 20.18.100 requirement for a “plain language” summary.

Some of these changes were included in proposed ordinances that were transmitted to the King County Council but not adopted. These items are noted using the following abbreviations:

SAO: The proposed amendments to the Sensitive Areas Ordinance, King County Code (K.C.C.) chapter 21A.24 pending at council (Proposed Ordinance 1999-0353).

SALT: The proposed Site Alteration Code pending at council (Proposed Ordinance 2000-0525). This is a proposed update to the Clearing and Grading Code.

Amendments to K.C.C. chapter 21A.50, “Enforcement”

Section 1 -- Administrative section to recodify K.C.C. 16.82.130 as a new section in this chapter.

Section 2 -- Authority and application. (*K.C.C. 21A.50.020*) Updates a cross reference to K.C.C. Title 23 which has been renamed “Code Compliance.”

Section 3 -- Inspections. (*new*) Authorizes the director to make inspections and take necessary actions to enforce the zoning code (K.C.C. Title 21A). [SALT 5]

Section 4 -- Hazards. (*new*) Authorizes the director to determine that an existing site represents a hazard and to require the owner to eliminate the hazard. [SALT 5]

Section 5 -- Clearing and grading violations - corrective work required. (*K.C.C. 16.82.130*) The current requirement that permits cannot be granted until all corrective work is done is modified to provide an exception for permits needed to conduct the corrective work and to allow the approval of the work and posting of financial guarantees in lieu of the completed project. [SALT 122]

Section 6 -- Critical areas violations - corrective work required. (*new*) This section requires restoration of the site, subject to all the usual permits and permit fees (including investigation fees). The restoration standards in the wetland and stream mitigation sections are cross referenced. All corrective work must be completed within one year or within the time required in the corrective work plan, and the violator must notify the department when all corrective work is complete. The failure to satisfy these requirements (including the timely provision of monitoring reports) results in a “default,” triggering enforcement options available to the department as set forth in law. The department is entitled to reasonable access to the site for inspections. [SAO 130]

Section 7 -- Critical areas violations - corrective work monitoring requirement. (*new*) Requires monitoring of corrective work, in accordance with the corrective work plan, for up

to five years. Cross references the section of this ordinance, which outlines monitoring requirements. [SAO 131]

Section 8 -- Critical areas violations - corrective work plan requirement. (*new*) Requires a corrective work plan for all corrective work. [SAO 132]